

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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MARK C. FOXWORTH

Plaintiff,

-against-

JO ANNE B. BARNHART,
COMMISSIONER OF SOCIAL SECURITY

Defendant.

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GARAUFIS, District Judge.

On May 24, 2006, I referred plaintiff's motion for leave to file an amended complaint to Magistrate Judge Viktor V. Pohorelsky for a report and recommendation. On October 3, 2006, Judge Pohorelsky heard arguments on this matter and issued a Report and Recommendation ("R&R") on the record recommending that the court grant plaintiff's motion. No objections to the R&R have been timely filed. This court has reviewed the R&R and is satisfied that there is no clear error on the face of the record. The Clerk of the Court is directed to enter judgment as set forth by Magistrate Judge Pohorelsky and as detailed above.

SO ORDERED.

Dated: December 27, 2006
Brooklyn, N.Y.

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/s/ Nicholas G. Garaufis
Nicholas G. Garaufis
United States District Judge